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ROBERT H. SHEEHY, CLERK
WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION

UNITED STATES OF AMERICA

Cr. A. No. 02-30043-06

VERSUS

JUDGE ROBERT G. JAMES

THOMAS NATION


MAG. JUDGE KAREN L. HAYES

ORDER

Upon consideration,

IT IS ORDERED that Thomas Nation's "Notice of Appeal, Motion for Leave to Appeal, Petition for Certificate of Appealability and Leave to Proceed In Forma Pauperis on Appeal" [Doc. No. 534] is GRANTED IN PART and DENIED IN PART. Nation's Notice of Appeal has previously been filed by the Clerk of Court, and his case is on appeal. Therefore, his motion for leave to appeal is DENIED AS MOOT. Additionally, having considered the record in this case, the requirements of 28 U.S.C. § 2253, and the Supreme Court's decision in *Slack v. McDaniel*, 529 U.S. 473, 478 (2000), the Court orders that the certificate of appealability is DENIED because Nation has failed to show that jurists of reason would find it debatable whether the district court was correct in its procedural ruling. Nation's request to proceed in forma pauperis on appeal is GRANTED.

MONROE, LOUISIANA, this 11 day of April, 2007.



ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE